Edn & PH (1942) Department.

MS SERIES.

G.O. No.	49- P.H.
Dated	5-1-42

[Despatch Abstract.]

Building Rules - Mangalore Municipality - Sri M.Atchuta Shet - Building - Rule 8 - Exemption - Granted.

_____ DEPARTMENT.

In reply, please quote number, date and short title.*

Received _____ *Registered* _____

GOVERNMENT OF MADRAS
23 NOV 1941
EDUCATION AND PUBLIC HEALTH DEPT.

From (Name) Sri M. Narayana Shenoy, B. A., B. L.,

(Designation) Commissioner, Mangalore Municipality, Mangalore.

Post Box _____, (Station) _____,

Telegraphic Address 46943

To The Secretary to the Government of Madras,
Education and Public Health Department,
Fort St. George, M a d r a s,

The Through -- The Chairman, Municipal Council, Mangalore.

Roc.C. *No* C4/3897/40, *dated* 8th November 1941.

Sir,

Subject:- Building rules -- Construction of building -- T.S.No. 1539-1 of 6th ward -- Waiver of rule : Reconsideration-previous orders - requested.

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Enclosures _____

_____

_____

Spare Copies _____

MS-17 fi 74/41 (M) 7-1-41

The Government in this office letter R.O.C. No.C4/3897/40, dated the 12th November 1940 were requested to exempt the construction by Sri Achutha Shet of an extension to his building in T.S.No. 1539-1 of 6th ward from the operation of rule 8 of the Building rules. But the Government in their order MS No.74, dated the 7th January 1941 have refused the license for the construction and they in their order No. MS 371 P.H., dated the 27th January 1941 have declined to reconsider the orders already passed. On receipt of the above order the party was directed to demolish the unauthorised portion of the building constructed by him. The Municipal council in its resolution No. 27 dated the 14th July 1941 has referred the letter dated the 20th June 1941 received from Sri B. Gangadhardas, Advocate, Mangalore, on behalf of his client Sri M. Achutha Shet in the matter of the threatened demolition of the unauthorised portion of the building to a committee (copy enclosed). The committee after

a local inspection recommended the grant of license after considering the Inspection remarks dated the 2nd July 1941 of the Personal Assistant to the Director of Town Planning A copy of the Committee's recommendation and the inspection remarks of the Personal Assistant to the Director of Town Planning are enclosed. The recommendation of the committee was accepted by the council in its resolution No. 53 dated the 22nd September 1941 (copy enclosed)

Under the circumstances stated above it is requested that the Government may be pleased to reconsider the orders already passed and to permit the council to grant licence as a special case. The matter was originally dealt with by Government. Hence this reference is sent to Government and not to the Revenue Divisional Officer.

The file of papers is enclosed.

Commissioner, M.M.

Forwarded:

B. Venkataraya Baliga.

Chairman, M.C.

Compd:

17.11.41.

Enclosures: 4 & file.

H/12.11.a

No. .....

Extract from the Proceedings of the Mangalore Municipal Council at its meeting held on 14th July ..... *19* 41.

Resolution No. 27

Read: Read letter dated the 20th June 1941 from Sri B. Gangadharada, B.A.B.L. on behalf of Sri M.Achutha Shet in the matter of the threatened demolition of the unauthorised portion of the building T.S.No. 1539-1 of 6th ward with the connected file.

Referred to the Vice-Chairman and Sri M.Madhava Rao for final disposal.

x x x

sd/ L.C.Pais,
Vice-Chairman, M. C.

/True Extract/

Municipal Office, Mangalore,)
Dated the 8th November 1941.)

Commissioner, M.M.

H/12.11.a

Compd: 17.11

Copy of Committee's report.

From the Cross section I find that an existing room is to be converted into a verandah and adjoining room enlarged. If only this has been done, I think we could recommed this case as one in which the 5 feet road margin may be waived.

29th July 1941. sd/ M.Madhava Rao,
Municipal Councillor.

Since writing the above I find that the Personal Assistant to the Ex-Officio Director of Town Planning, Madras, is also of opinion that Rule 8 may be waived in favour of the applicant.

9th September 1941. sd/M.Madhava Rao.
Municipal Councillor.

I agree

13th September 1941. Sd/L.C.Pais,
Vice-Chairman,M.C.

/True Copy/

Municipal Office,)
Mangalore,8th November 1941.) Commissioner, M.M.

Compd: 17.11.41.

H/12.11.41.s

EXTRACT FROM THE INSPECTION NOTES OF THE PERSONAL ASSISTANT TO THE DIRECTOR OF TOWN PLANNING, DATED 2.7.1941.

x x

(6) Building construction by M.Achutha Shet on Kulur ferry road - The construction of a verandah to the existing building was objected to on account of its contravention of rule 8 of the building rules. The party's appeal for exemption was refused by Government. From my inspection I note that the verandah is to be put on the side of an existing building which projects to the street edge in keeping with the existing construction. There appears to be no objection to the verandah being allowed as a special case, exempting the same from the operation of rule 8 in the cinrcumstances that there is sufficient open space in the site itself and only a small portion of the frontage of the building site will be occupied by the verandah.

x x x

sd/ R.D.N. Simham
Ex-Officio
Personal Assistant to the Director of
Town Planning, M a d r a s.

/ T r u e E x t r a c t /

Municipal Office, Mangalore,)
Dated the 8th November 1941.) Commissioner, M.M.

Compd: 17.11.41.

HDU: 12.11.a

No. .....

Extract from the Proceedings of the Mangalore Municipal Council at its meeting held on 22nd September *19* 41.

Resolution No. 53

Read: Council resolution No.27 dated the 14th July 1941 referring to the Vice-Chairman and Sri M.Madhava Rao for disposal letter dated the 20th June 1941 from Sri B.Gangadhara Das, Advocate on behalf of his client Sri M. Achutha Shett in the matter of the threatened demolition of the unauthorised portion of the building T. S. No. 1539--1 of 6th ward, the report of the Vice-Chairman and Sri M.Madhava Rao and the inspection notes of the Personal Assistant to the Director of Town Planning, dated the 2nd July 1941 in regard to the

building

building referred to above.

License is recommended.

x x x

sd/ B. Venkatarao Baliga,
Chairman, M.C.

/True Extract/

Municipal Office, Mangalore,)
Dated the 8th November 1941.)

Commissioner, M.M.

Compd:

17.11.41

H/12.11.41.a

II

Ed + P.H. Dept (H)

[Cro. 46943 / 24.11.41]

From the Commr, Mangalore Mcy,

Roc. no C-4/3897/40 d 8.11.41

Subject:- Building Rules — Mangalore Mcy — Sri Achuta Shet - Construction - Rule 8 - Exemption - reconsideration of order

[Memo. no 46943/41-1.H. d 27.11.41]

Referred to the D.T.P for remarks.

27/11

25.11.41

25.11.41

Note:- The PA to the Commr reports that the PA to the D.T.P in his inspection notes is of opinion that exemption may be granted as a spl case (vide copy of notes on p 7 of). The matter may therefore be referred to him

25-11-41

D&R - dept. no 16/12
1.12.41
from Rev. no 3/1/42

To

The Dy Town Planning Officer
Mangalore
(with reply)

29/11

C.F. 32 (a).

13

Town Planning Department

Received ..... Registered .....

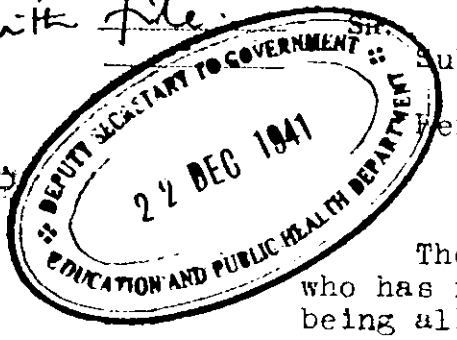
From (Name) K.Ramunni Menon,Esq.,M.A
Bar-at-Law, I. C. S.,
Designation Ex-Officio Director of
Town Planning,
Station Madras.

To

The Secretary to Government,
Education & Public Health
51348 Department.

Enclosures: Comm's letter with file.

No. B.A. 378 dated 17--12-- 1941.



Sub: Building Rules - Mangalore Municipality - Sri Achuta Shet - Rule 8 - Exemption.

Ref: Govt. Memo.No.46943/41-1 H., dated 27-11-41 forwarding for remarks Commissioner's letter ROC.C4-3897/40 dated 8-11-1941.

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The building was inspected by my Personal Assistant who has reported that there is no objection to the verandah being allowed as a special case exempting from the operation of rule 8.

Government may be pleased to exempt the building from the operation of rule 8 of the Building Rules as a special case. G.O.No. 371 P.H., dated 27-1-41 may be cancelled.

for Ex-Officio Director of
Town Planning, Madras.

ve.19.12.

49/571

C.F. 16.

DRAFT FOR APPROVAL.

Ed + P.H. Dept (H)

	Date.	Initials.
When received for fair copying ..		
When copied ..		
When examined ..		
When signed ..		
When despatched.		

SUBJECT :— Building Rules - Mangalore Mly - Sri M. Achuta Shet - Building - Rule 8 - Exemption - Granted.

(L) READ AGAIN Go.M.371 P.H., dated 27.1. 1941

" " " 19

READ ALSO :—

Mp1-104c No. 46943 From the Commr Mangalore Mly. Roc.C. C4/3897/40, dated 8.11. 1941.

p134 " 51348. " D.T.P. " BA.378 " 17.12 1941

" " " 19

Order ~~Resolution~~ ~~Rout~~. Ms. No. 49 P.H., dated 5-1- 1942

1.

M.C. (L)

wr pubn. p.

In modification of the orders in Go.M.371 P.H., 27.1.41 the Govt, under rule 108-A of the Building Rules issued published with Go.M.1621 P.H., d/30.7.32, as subsequently amended, exempt as a special case, the building belonging to Sri M. Achuta Shet in T.S.No. 1539-1, VI Ward, Mangalore from the operation of rule 8 of the Building Rules

To ✓ plcy.

The Commr Mangalore Mly with the chairman (with ME file retd) (W)

.. D.T.P. ✓

P.P. 23.12.41 lws 5/1/42

lws 24.12.41

DPD 7/1

Note:- In the circumstances

stated by the D.T.P. on p13 of. 1
the building may as a special case
be exempted from the operation
of rule 8 of the Building Rules.
Subject to such conditions as may be imposed.

23.12.41

24.12.41

1.